

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
HONX, INC.¹	§	Case No. 22-90035 (MI)
	§	
Debtor	§	Chapter 11
	§	

NOTICE OF APPEAL OF CASE MANAGEMENT ORDER

[Related to Docket No. 603]

Those claimants listed as clients of Burns Charest LLP attached hereto as **Exhibit A** (collectively, the “BC Litigants”) appeal to the United States District Court for the Southern District of Texas the *Case Management Order* [Docket No. 603] attached hereto as **Exhibit B**, which was entered on January 12, 2023. The names of all parties to this appeal and the names, addresses, and telephone numbers of their respective attorneys are as follows:

¹ The Debtor in this chapter 11 case, along with the last four digits of the Debtor’s federal tax identification number, is HONX, Inc. (2163). The location of the Debtor’s service address in this chapter 11 case is: 1501 McKinney Street, Houston, Texas, 77010.

Appellants:

BC Litigants

Counsel:

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Hess Corporation

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Dated: January 26, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on January 26, 2023, on all parties entitled to receive service through the Court's ECF system.

/s/ John F. Higgins

John F. Higgins

EXHIBIT A

List of BC Litigants

Abraham Perez-Rivera	Aquino-De la Rosa, Ovidio
Abraham, Narcisse	Arelis Pena-Arrendell
Adams, Melvine Sr	Arlington Bergan
Agatha Louis	Arroyo, Hector
Agnes Alphonse	Arthur Carter
Agnes Andrew	Arthur John Baptiste
Agnes Dalsan	Audrey Gustave
Agnes John	Avan Casimir
Alana Finney	Avis Reid
Albert Edwards, Jr	Baltimore, Link
Albert Elliott	Barry, James
Albert Ince	Barthelmy Dantes
Albert J Williams	Batista, Juan
Albert Stanislas	Bazil, Joanness
Albert Tayliam	Beharry, Lawrence J, Sr
Albert Victor	Beharry, Pascal W
Alexander Charles	Belardo, Fidel
Alexander St Rose	Belardo, Hector C.
Alexander, David Adrian	Benjamin, Alford D
Alexandrine Abraham	Bernadette Abraham-Soldiew
Alicia Mars	Bernadine John Baptiste
Alita V Theophilus-Phillipp	Bernard Williams
Allan Austin	Bernard, Angelo
Allan English	Bernett Joseph
Alton Elliot	Bhola, Anthony
Alvin Sonson	Bibiana Philogene
Alwyn John Baptiste	Blake Caldena
Amelina Marc Louis	Blake, Irvine E
Andre Jean	Boland, Veronica
Andres Velazquez	Bougouneau, Francisca
Angel Gautier	Bougouneau, Francisca Andrea
Angel Rodriguez	Bougouneau, Jeremiah
Angel Santos-Rios	Bowery, Ira
Angela Faucher	Brown, Clarence G
Angela Poleon	Brown, Frank
Anna Arnold	Browne, Alexis H
Anna Gordon	Browne, Alfred
Annabelle Riviere	Browne, Edwin
Annette Parris-Delgado	Burke, Tyrone
Anselm Alexander	Candida Acosta-Lewis
Anthony Laurencin	Canice McFarlane
Antoine Baptiste	Carlos P Mulrain

Carmela Errilienne
Carmen Lopez
Carmen Mayfield
Carmen Santiago
Carolyn Maynard
Castro Pablo
Catherine Antoine
Catherine Charles
Catherine Daniel
Catherine Phillip
Celestine Gordon
Celina Bodley
Charles Deterville
Charles Jacob
Charles Powell
Charles, Cuthbert R
Charles, Ita
Ched Antoine, as PR for Jamfes Antoine
Cheryann Thomas-Cooke
Cheryl Azille
Cheryl Richardson
Christian Farrelly
Christine Daniel
Claudette King
Claudius Thomas
Clement Languedoc
Clinton Henry
Clouden, Elvita
Clovis, Lawrence
Combie, Eliza
Consula Matthew
Cora Straker
Coria Rene
Cornelia Louis
Cornelius Mitchell
Creighton, Theresa
Cristino Cruz
Cyrilla Christophe
Cyrille Paul
Daisy Francis-Christopher
Dalmau-Estrada, Carlos
Daniel, Noel
Davidson Abraham
Davis, Rupert
Davon Walter, as the PR of the Estate of
Lunid Walter

Dayatra Emmanuel
De Lande, Clefryn
Decima John Baptiste
Defreitas, Gilbert M.
Degrasse, William
Denis Dariah
Denis, Alphonsus
Denis, Placide
Dennery, Arthur
Dennis Barnes, Jr
Deschamps, Malcolm
Desir, Urias JW
Dexter Arthurton
Dillon Inglis
Donawa, Clarence Eustace
Donawa, Ian
Donelly, Tricia
Doran, Garfield
Dorita Trimmingham, as the Personal
Representative and Executor of the Estate of
Leroy W Trimmingham
Douglas, Charles (Christian)
Drayton, Cleavely
Ducreay, Isaiah
Dudley Cox
Duncan, Tyrone
Dyett, George
Eardley Howard Charles
Eastman, Felix
Efraim Soto-Santos
Egbert Carlton Hall
Elderfield Richards
Eleanor Abraham
Eleanor Roseline
Elford Christmas
Elias Bodley, as PR of Estate of Roland
Bodley
Elpher Prosper
Elsworth Stevenson
Emerald Finney
Emika Archibald
Emil Joseph
Emmanuel Augustin
Emmanuel, Hyacinth
Enoch Simon
Enrique Ayala

Est. of Alexis Denis
 Est. of Felix Colon
 Est. of Fitzroy Roberts
 Est. of Patrick Mathurin
 Estate of Arnold Anthony
 Estate of Eli McKenzie
 Estate of Ezekiel Farrell
 Estate of Francisco Carrasquillo-Acosta
 Estate of James Hughes
 Estate of Nicholas George
 Estate of Rosemary Nicholas
 Estate of Scipio Murren
 Esther Theobbles
 Eugenia East
 Eugenia JnMarie
 Eugenia Stanley
 Eunice George
 Eustace Rose
 Evans, Gualbert
 Evans, Hugh
 Everton Knight
 Exilia Fonetenelle
 Ezra Celestin
 Fabian, Patricio
 Fahie, Royce H
 Farrow, Oliver
 Felice Grant
 Felicite Patricia Albert
 Felipe Ledesma
 Felipe Rios
 Felix, Anthony
 Ferdinand Abraham
 Figueroa, Carlos J
 Fitzroy B Matthew
 Flood, Cynthia
 Floretta Prevost
 Fonda Gill, As The PR of The Estate of
 Emerson Gill
 Forde, Linroy
 Fox, Melwyn Elias
 Frances Mondesir
 Francois St Remy
 Frank Jeremiah
 Frederico Garcia
 Freeman, Sr., Eugene T.
 Gabriel Alexander

Garcia, Felix
 Garcia, Juan
 Garcia, Reynaldo
 Gaston, Simone
 Gee Cuffy, Jr
 Gemma Mitchell
 George Fontenelle
 George Joseph
 George, Cuthbert
 Gerard Nelson
 Gerard St Rose
 Gertrude John
 Gertrude St Rose
 Gervais, Rufinus
 Gifford, Alain
 Gilbert, Idonia
 Gilbert, Joseph
 Gladstone Browne
 Gomez, Oscar
 Gonzague, Augusta
 Gonzales, Glen
 Gonzalez, Mario
 Grace Joseph
 Green, Tony Curtis
 Greenaway, Dan
 Greene, Alwyn
 Gregor Richelieu
 Guadalupe, Domingo
 Guadalupe, Javier, Jr.
 Gwendolyn Jacobs
 Hamilton, Ambrose
 Harold Abraham
 Heafline Bannis
 Helen Isidore
 Helena Denbow
 Henreker Liburd
 Henry Gonzague, Jr
 Henry, George
 Henry, Mary G.
 Henry, Michael
 Henry, Miles
 Henry, Nicholas
 Henry, Paul (Mediated)
 Henson Emanuel
 Hinkson, Francilla
 Hollis Prime

Hospedales, Roderick
Humberto Ayala
Ingrid Benton
Jackline Finney
Jaime Castro
James , Francis
James McNamara, as PR of Estate of Luke
Frederick
James, Brenda
James, Irwin L
James, Jerome
Janelle Coburn
Janine McBean
Jarvis, Leroy
Jean, Larry
Jeanne David
Jeffers, Wilfred Z
Jeremiah Felicien
Jno-Baptiste, Nicholas
Joan John
Joanna Desir
Joanna Leon
Joel Tutein
John B William
John Desouza
John Manie
John Paul
John Ramdhanny
Jorge Soto
Jose Lopez-Acosta
Jose Sanchez
Joseph Herelle
Joseph Joaquin
Joseph Mess
Joseph Prescott
Joseph Vigilant Hill
Joseph, Elwin
Joseph, George
Joseph, Judith
Joseph, Kenneth
Joseph, Magilta
Joseph, Selwin George
Joshua S Browne
Jovo Cotto Jr.
Joyce James Galiber
Joyceline Noelien

Joycelyn Thomas
Juan Alamo
Judith Doran
Julia Charles
Julianna Evans
Julie James
Julieta Coleman
Kadar Mohansingh
Kendall Roberts
Kendrick Elcock
Lazare, Louise
Leblanc, Alex G
Lenroy Drew
Leon, Aybert
Leon, Michael
Leonce, Phylis
Lester Vigilant
Liburd, Dave
Lilda Decaille
Ling, Michael Lee
Linton Robertson
Lisa Braithwaite
Lopez-Quintana, Juan
Lubin, Jonah N
Lucette Merced-Green
Lucia Marcelle
Lucille Henry
Lucy C Talian
Lydia McIntosh
Lyne Turnbull-James
Mable Cuffy
Maharaj, Devraj
Maishaleen Lopez
Malvina Jackson
Margarita Joseph
Marguerite Wilton
Maria Baptiste
Maria M Hepburn
Maria R Guadalupe-Thomas
Maria Sanes
Marian Mitchell
Marie Auguste
Marie Serieux
Marilyn Nyack
Mario Carroll
Mariska Scotland

Mark Victor
Martin, Telbert
Martina Simeina
Mary Anna Weeks
Mary Clercin
Mary Eugene
Mary Glover
Mary Leon
Mary Longville
Mary Lucille
Mary Maxwell
Mary St Rose
Massicott, Jeannoel S
Mathurin, Bernard
Mathurin, Gregory
Mathurin Vitalis
Maxwell, Weldon
Maynard Lazare
Maynard, James
McIntosh, Daniel
McMahon, Vincent
McNamara, James
Melvin Benjamin
Merced, Edgar
Merlyn Massicott
Mervyn Henry
Mervyn Henry
Michael C. John
Michael Clarke
Michael Elsworth Matthew
Michael K Alexander
Michael Thomas
Michael, Coletta
Mitchell, Alfred
Mitchell, Clayton
Moe, Russell
Montoute-Dumar, Clarita
Moore, Steven
Morris Benjamin
Moses, Godclive
Munchez-Nurse, Barbara A.
Murray, Michael
Myrna Lopez
Natalia Herman-Sadoo
Nathalie Desbonnes
Nathalie Desbonnes

Neil Corridon
Nelson, Clement
Newton, Sharon
Nieves, Sonia
Nina O'Bryan
Nisbeth, Edric
Nobbie, Ainsley
Norford, Derrick
Norma Nales-Martinez
Norma Parris-Bruce
Norris Rupert St. Henry
Octalien, Norbert C
Octavia Ferdinand, as PR for the Estate of
Octave Ferdinand
Onesimus Chiverton
Osorio, Jr , Pedro
Patricia Mathurin
Patrick Nelson Thomas
Patrick Phillips
Paul, Anthony
Paula Crispin
Pedrito Coto
Pedro Oliver
Peter Delande
Peter Edward
Peter, Michael
Peterson, Lucien
Petronella Sargeant
Phangyou, Carl P. J.
Phillip Collins
Phillip E. Daniel
Phillip Paul
Phillip, Vaughn
Philogene, Lawrence
Pius Fontenelle, as PR of the Estate of
Teresa Fontenelle, Deceased
Plante, Marion, as the personal
representative of the Estate of Joseph Plante
Poleon, Celina
Poleon, John
Pricilla John Baptiste
Rambally, Brian
Ras, Luis
Raul Gonzalez
Rebecca Lestrade
Regina Boyer

Renee Tann
Rennie Benwaree
Rennie, Lloyd
Rennie, Ronnie
Reuben Weekes
Reuben, Aaron
Reynard D Menders, Sr
Richard A Samuel
Richard Allen, Sr
Richelieu, Gregory E
Richelieu, Margarita
Rita Browne
Rita Velazquez
Rivera, Jose
Rivera, Sandro
Rivera, Santos
Rivera-Lopez, Santos
Robert Phangyou
Roberto Figueroa
Roberts, Cuthbert F
Roderick Gordon
Rodney Blake
Rodney Solomon
Roger A Roberts
Rollin Viotty
Romain, Andrew
Ronald Sealey
Rosa Xavier
Rosa, Sonia
Rosetta Lawrence
Russell, Hulester
Sadoo, Ricardo
Sam, Reginald A.
Samuel, Virginia
Santiago, Bernabe Jr.
Santiago, Luis
Sargeant, Vincent
Sean Ian Wickham
Seecharan, Alvan
Sharia Durgah
Sheralda Guadalupe
Shirley Alibocas
Shirley Cuffy
Silvestre, Juan Riveras
Simnia Eugene
Simon, Lesroy

Sirdrina Isaac-Joseph
Skitter Verna Clercin
Smith, Anthony
Smith, James A
Sonia Cirilo
Sookoo, Richie
Sophia Francis
Soto-Nieves, Irma
St Jean Wong, Meredith
St Rose, Saraphine
St. George Joseph
Stafford Browne
Stedman Hughes
Stephanie Granger
Stephanie Wheeler
Stephen Jeffers
Stephenson, Eugene
Subniak, Dianan
Sydney, John
Sykes, Eric
Sylvester John
Sylvia Barry
Tabita Phangyou
Taylor, Macdonald
Thecla Weston
Theodile, Ruthine
Theodore, Roselyn
Theodule, Elizabeth
Theresa Dariah
Theresa Joseph
Thomas Thomas
Thomas, Franklyn M
Thorpe, Charline as the personal
representative of the Estate of Wilmouth A
Hughes
Titre, Cyril
Treasure, Ferdinand
Treasure, Melrose
Valerie Combie
Vega-Vargas, Percio
Velazquez, Ada L
Verdan Jagrup
Verna Rita Richelieu
Vernage, Matthew
Veronica Eugene
Veronica Rita Charles

Victor Monroe
Victor Ruiz Carrasquillo
Victor, Fenton Curtis
Victoria Woodley
Vigilant, Timothy
Virginia Melius-Michaud
Virginia St Rose
Viviane Charles Mondesir
Wallace, Elton
Walters, Shawn
Waltrude Hippolyte
Wendy Green
Wheeler, Joseph C
White, Clyde
William, Augustine
Williams, Anderson Leroy
Williams, Carol G.
Williams, Lennard

Williams, Merle
Williams, Spencer
Williams, Vincent
Wilson, Alfred
Wiltshire, Christina
Winifred Jonas
Winifred President
Woods, Benjamin
Wranda Dariah
Xiomara Hernandez-Aquino
Yolanda Henry
Younge, Everette
Younge, Grantley A
Yvette Ballantine-Phillips
Yvie Poleon
Zenia Raymond
Zulaika Ahamad

EXHIBIT B

Case Management Order

ENTERED

January 12, 2023

Nathan Ochsner, Clerk


**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****IN RE:****HONX, INC.,****Debtor.**§
§
§
§
§
§
§**CASE NO: 22-90035****CHAPTER 11****CASE MANAGEMENT ORDER**

For the reasons set forth on the record on January 4, 2023, the Court orders:

1. The motions seeking test trials to be conducted in the Virgin Islands are denied, without prejudice.
2. At a hearing to be conducted on May 10, 2023 at 9:00 a.m., the Court will conduct an estimation hearing pursuant to 11 U.S.C. § 502(c). At the estimation hearing, the Court will determine whether personal injury or wrongful death claims that have been filed or scheduled against the estate are colorable claims for the purposes of (i) voting on any proposed plan; and (ii) determining the feasibility of any proposed plan. Colorable claims will meet these criteria:
 - a. The claim must be supportable by expert testimony as to liability and as to the extent of any illness or injury. Expert testimony must be admissible under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).
 - b. The claim must not have been released (by settlement or otherwise) by a release that is enforceable against the claimant.
 - c. Future claims must be demonstrated, by competent expert testimony admissible under *Daubert*, to allow for the future claims representative (or another person) to vote to accept or reject a proposed plan.
 - d. Future claims must be demonstrated, by competent expert testimony admissible under *Daubert*, in an amount that will be utilized for determining the feasibility of any proposed plan.
3. Any estimation by the Court will apply solely to voting and feasibility. Any proposed plan must make adequate provision for the payment of Allowed Claims, the amount and liability of which will be determined for distribution purposes in the manner determined by the United States District Court for the Southern District of Texas in accordance with 28 U.S.C. § 157(b)(5).

4. All parties are ordered to fully cooperate in discovery that is relevant to the estimation proceeding. The Court authorizes the use of the subpoena power to obtain appropriate discovery.
5. Not later than 30 days after the Court issues an estimation order, Hess must file a Notice committing to fund a chapter 11 plan premised on a § 524(g) injunction, with payments funded by Hess. The notice must state an amount that will be funded by Hess (i) in total dollars; (ii) pursuant to a formula that is dependent on the total amount of Allowed Claims, but that is calculable with mathematical precision upon a determination of the total amount of Allowed Claims; or (iii) in an amount that can be determined with certainty by the Court after the allowance of claims in the case.
6. Not later than 21 days after Hess complies with paragraph 5 of this Order, the Debtor must file a proposed chapter 11 plan and disclosure statement.
7. If the requirements of paragraphs 5 and 6 are not satisfied in good faith, this case will be dismissed.
8. Not later than February 10, 2023 at 5:00 p.m., parties must file briefs addressing these two issues:
 - a. May the holder of a claim that is estimated at \$0.00 for voting purposes vote on a proposed plan?
 - b. Assume that the holder of a claim is (i) precluded from voting on the proposed plan as a consequence of an estimation proceeding; and (ii) allowed to liquidate her claim for distribution purposes in the manner determined by the United States District Court for the Southern District of Texas in accordance with 28 U.S.C. § 157(b)(5); and (iii) payable (to the extent that it is Allowed) out of a trust established under 11 U.S.C., § 524(g). Under those assumptions, will the holder be bound by an injunction issued pursuant to 11 U.S.C. § 524(g)?
9. Parties may file response briefs in relation to the briefing ordered in paragraph 8 no later than March 3, 2023 at 5:00 p.m.
10. Witness and exhibit lists for the estimation hearing must be filed in accordance with the local rules.

SIGNED 01/12/2023


Marvin Isgur
United States Bankruptcy Judge

